

## **EXHIBIT A**

**IN THE UNITED STATES BANKRUPTCY COURT**

In re:  
W.R. GRACE & CO., et al.

Debtors.

Chapter 11  
Case No. 01-01139 (JKF)  
(Jointly Administered)  
Re: Docket No. 23548  
10/26/09 Amended Agenda Item No. 25

**ORDER REGARDING DEBTORS' ORAL MOTION TO EXCLUDE  
THE TESTIMONY OF ROBERT J. FREZZA**

Upon the oral motion (the "Motion") of W. R. Grace & Co., et al (the "Debtors") made at the confirmation hearing on September 16, 2009 to exclude on Daubert grounds the testimony of Robert J. Frezza, expert witness for the Official Committee of Unsecured Creditors (the "Creditors' Committee") and the Bank Lender Group,<sup>1</sup> and the Debtors' submission in support of the Motion provided to the Court at the October 14, 2009 confirmation hearing, and upon the Opposition filed to the Motion by the Creditors' Committee and the Bank Lender Group [D.I. 23548], and the Court having heard the arguments of counsel at a hearing on October 26, 2009; it is hereby:

ORDERED that the Motion is denied; and it is further

ORDERED that the Court will determine the weight to be given to Mr. Frezza's testimony in connection with the Court's determination of the disputed confirmation issues.

Dated: November \_\_\_, 2009

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Honorable Judith K. Fitzgerald  
United States Bankruptcy Judge

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<sup>1</sup> Capitalized terms not otherwise defined have the meanings ascribed to such terms in the Opposition of The Official Committee of Unsecured Creditors and Bank Lender Group to Debtors' Oral Motion to Exclude Testimony of Robert J. Frezza (Docket No. 23548) (the "Opposition").